

**Before the State of South Carolina
Department of Insurance**

In the matter of:

SCDOI File Number 2004-120945

Direct Adjusting Company, Inc.,
1281 Murfreesboro Road
Nashville, Tennessee 37217

**Consent Order
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Direct Adjusting Company, Inc., a Tennessee corporation.

Upon review of this matter, I find as fact that the above named company had been using the services of unlicensed adjusters while conducting the business of insurance. Direct Adjusting Company, Inc. admits this allegation but contends this resulted from inadvertence and oversight and not from any intent to avoid the requirements of South Carolina Law.

Prior to the initiation of any administrative proceedings by the Department against them, the parties agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal administrative hearing. The consensual recommendation was that Direct Adjusting Company, Inc. would waive any right to a public hearing and immediately pay an administrative penalty in the amount of \$3,000.00.

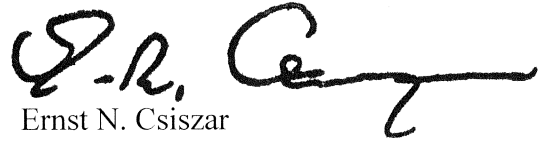
After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Direct Adjusting Company, Inc. had violated Section 38-47-10 (Supp. 2002) of the South Carolina Code of Administrative Laws. As a result, I can now take administrative disciplinary action against their insurance producer's license. However, under the discretionary authority provided to me by the General Assembly within S.C. Code Ann. § 38-2-10 (2) (Supp. 2002) and carefully considering the recommendation of the parties, I hereby impose against Direct Adjusting Company, Inc. an administrative penalty in the amount of \$3,000.00 dollars. The Company must pay that fine within ten days of the date of my signature upon this Consent Order.

This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in consideration of Direct Adjusting Company's assurance that in the future they will fully comply with the Insurance Laws of South Carolina.

This penalty includes all expenses related to the investigation of this matter as provided in § 38-13-70 of the South Carolina Code of Administrative Laws. The parties expressly agree and understand payment of the agreed-upon penalty constitutes full accord and satisfaction of this matter. By their signature upon this consent order, Direct Adjusting Company, Inc. acknowledges that it understands that this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002).

It is, therefore, ordered that Direct Adjusting Company, Inc. shall, within ten days of the date of my signature on this consent order, pay through the South Carolina Department of Insurance an administrative penalty in the amount of \$3,000.00 dollars. Nothing in this consent order constitutes, or should be construed as, an admission that any party is or is not civilly liable for any act or omission.

This consent order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

April 22, 2004
Columbia, South Carolina

I CONSENT:


Signature

Scott A. Johnson

Printed Name

Vice President

Title

For Direct Adjusting Company, Inc.
1281 Murfreesboro Road
Nashville, Tennessee 37217.

Dated this 16th day of April, 2004.